



Gray Davis  
Governor

Winston Hickox

Secretary for  
Environmental  
Protection

MINUTES OF  
REGULAR MEETING  
Friday, September 14, 2001  
**REGIONAL WATER QUALITY CONTROL BOARD**

**Friday, September 14, 2001, 8:30 a.m.**

Chair Gary Shallcross called the meeting of the Central Coast Regional Water Quality Control Board to order at 8:37 a.m. on September 14, 2001, in the Salinas City Council Chamber Rotunda, 200 Lincoln Avenue, Salinas, California.

**1. Roll Call** ..... Office Technician Carol Hewitt  
[8:40 to 8:43 a.m.]

**Board Members Present:**

Chair Gary Shallcross  
Vice Chair Leslie Bowker (attended by conference phone)  
Vice Chair Bruce Daniels  
John Hayashi  
Jeffrey Young

**2. Introductions** ..... Executive Officer Roger Briggs

Executive Officer Roger Briggs introduced staff and asked parties wishing to speak to turn in testimony cards. Mr. Briggs asked that speakers please limit their items to three minutes. The State Board Liaison, Richard Katz, was unable to attend today's meeting. Supplemental Sheets were for Items 11 and 12/Ragged

Point Inn. Chair Shallcross announced that action items will be taken first since Vice Chair Bowker was participating by conference phone. Status reports were taken after action items.

**3. Approval of Minutes for July 12-13, 2001 Meeting** ..... Board Motion

Vice Chair Daniels recommended a correction on Page 8, second motion, under Note change to: "...nine member Board.....".

**MOTION: Bruce Daniels moved to approve the minutes for July 12-13, 2001, with the correction noted above. SECONDED by John Hayashi. CARRIED – Unanimously (5-0)**

*(Chair Shallcross announced a "Moment of Silence" to honor the memory of the victims of the September 11, 2001 terrorist attack on the United States)*

**4. Public Forum** ..... Chair Shallcross

Drew Bohan, Channelkeeper, briefly discussed TMDL sites, Carpinteria greenhouse meeting, followed by a presentation on construction permits and construction sites in Santa Barbara County. Mr. Bohan noted stormwater violations with photos at various locations

in Santa Barbara County. He is concerned that the Best Management Practices are ineffective at these sites (i.e., sandbags and hay bales). He recommended that the Board consider directing staff to do an inspection

during the rainy season with a follow-up letter about appropriate Best Management Practices.

The Board asked about stormwater procedures followed by staff members. Jennifer Bitting,

Regionwide Stormwater Coordinator, addressed the Board and provided clarification on stormwater policy and procedure.

5. Low Threat Cases .....

Information/Discussion

Executive Officer Briggs reviewed the recommended general permits for Brothers Hecker Pass Market and CalClean Mobile Groundwater Treatment System, and waivers of waste discharge requirements for B&D Mushroom and Hollister/San Juan Highway Bridge.

Two clean-up sites recommended for closure were Interstate Brands Corporation and JBL Scientific. The Board asked about site closure procedures. Jay Cano provided information on case closure procedures.

6. Uncontested Items .....

Board Motion

Executive Officer Briggs noted that several uncontested items were questioned by Board members. Regional Board staff provided responses to the questions and the document was available from staff present. Item #13/Carmel Valley Ranch, had a proposed addition to discharge specification B.13 as follows: *"Only stormwater is allowed to be released from this basin via the open drainage valve into the Carmel River. Stormwater should be free of any recycled water so that recycled water is never allowed to discharge to the river. The recycled water from the treatment plant must spill into the driving range emergency storage basin then the valve must first be closed and remain closed until all the water is*

*eventually pumped out into the golf course lakes. The basin must have dried out over the summer before the valve can be opened again."* Brad Hagemann also suggested the addition of the following language to specification B.13: *"Solids from the treatment process shall be disposed at a facility approved by the Executive Officer."* Item #21/Courtside Cellars, had a redundant specification (B.1g) that should be removed. Vice Chair Bowker proposed a spelling change on Item#22/United States Army Corp of Engineers, Moss Landing Harbor Dredging Operation, pg.2 of the staff report, under Sediment Analysis, the word *"achieved"* should be changed to *"archived."*

**MOTION:** Bruce Daniels moved to approve the consent Item Nos. 13, 15, 16, 17, 18, 19, 20, 21, and 22 with the changes on Item Nos. 13, 21 and 22 noted above. **SECONDED** by Leslie Bowker. **CARRIED – Unanimously (5-0)**

11. Ragged Point Inn, San Luis Obispo County [Sorrel Marks 805/549-3695] .....

Order No. 99-098

The Regional Board provided opportunity for public comments regarding the proposed settlement for Ragged Point Inn discharge violations that were

subject to mandatory minimum penalty. No specific comments were received on the proposed settlement.

**MOTION:** Jeffrey Young moved to approve the proposed settlement and requested that the Deputy Attorney General proceed with filing with the court. **SECONDED** by John Hayashi. **CARRIED – Unanimously (5-0)**

12. Ragged Point Inn, San Luis Obispo County [Sorrel Marks 805/549-3695] .....

Order No. 99-098

Chair Shallcross read a hearing statement and swore in all interested parties. Regional Board staff member,

Sorrel Marks, described the Ragged Point Inn wastewater facility and summarized recent inspection

findings. With the aid of slides, Ms. Marks summarized facility improvements and the greatly improved compliance record. Ms. Marks also summarized proposed permit modifications, the supplemental staff report and one editorial correction to the proposed Order (Provision D.6 should list May 19, 2004 as the due date for Report of Waste Discharge). Ragged Point Inn General Manager, Mr. Jim Ramey, described the need for increased flow authorization and described improved treatment. Mr.

Ramey also described other environmental impacts and costs associated with the current practice of hauling excess wastewater by truck to the Santa Maria wastewater facility (to avoid exceeding current flow limitations). Mr. Ramey distributed photos of the discharge area, and the developing reuse project. He also showed comparative samples of the Ragged Point Inn wastewater effluent and spring water (used as water supply), indicating no visible difference.

**MOTION: Bruce Daniels moved to approve permit modifications as described in the staff report with the date correction noted above. SECONDED by Jeffrey Young and Leslie Bowker. CARRIED – Unanimously (5-0)**

*(Chair Shallcross announced a break at 9:50 a.m. The meeting reconvened at 10:05 a.m.)*

**9. Rosemary Farm, Santa Barbara County ..... Order No. 01-043**

Chair Shallcross read a hearing statement and swore in all interested parties. Regional Board staff member Sandra Turshman presented Administrative Civil Liability Order No. 01-043. Ms. Turshman described inspections performed, letters sent, and all attempts to contact Steve Zaritsky at Rosemary Farm. Ms. Turshman recommended assessing an administrative civil liability of \$29,400 for failure to submit a report of waste discharge.

Steve Zaritsky of Rosemary Farm provided background information on the facility to the Regional Board. He informed Board members that he never received the form to fill out, and that he intends to comply with the Board’s request for a report of waste discharge.

Mr. Brian Leighton, attorney for Steve Zaritsky, addressed Board members and informed them that Mr. Zaritsky will comply with any future requirements.

**MOTION: Bruce Daniels moved to adopt Administrative Civil Liability Order No. 01-043 for the assessment of \$29,400. Of that assessment, \$15,000 is due within 30 days of the date of the Order, and \$14,400 is suspended, contingent upon 1) submission of a complete Report of Waste Discharge by October 19, 2001 and 2) that the \$15,000 assessment is paid on time. The Board reserves the jurisdiction to modify the time schedule if there is a delay beyond the reasonable control of the Discharger (the normal burdens of business are not conditions considered beyond reasonable control). SECONDED by John Hayashi. CARRIED – Unanimously (5-0)**

**14. South County Regional Wastewater Authority, Santa Clara County ..... Order No. 01-081**  
[Matt Fabry 805/549-3458]

Regional Board staff engineer Matt Fabry presented proposed revised Waste Discharge Requirements Order No. 01-081 for the South County Regional Wastewater Authority.. Proposed revisions to existing Waste Discharge Requirements were in response to the South County Regional Wastewater Authority’s request to increase its permitted flow capacity from 7.5 to 8.5 million gallons per day. Regional Board staff presented proposed revisions to the existing Waste Discharge Requirements and responded to questions from Board members. Extensive discussion ensued regarding multiple issues, with the primary concerns

related to salt loading to the groundwater basin, wet weather flow capacity, and treatment plant effectiveness at the higher flow rate.

*(Chair Shallcross announced a break at 12:00 p.m. The meeting reconvened at 12:05 p.m.)*

Representatives for the South County Regional Wastewater Authority (Discharger) also made presentations and responded to questions. Santa Clara Valley Water District (District) made comments regarding salts loading to the ground water basin.



Ultimately, the Regional Board, with the concurrence of the Discharger, directed staff to continue the item to the March 2002 regularly scheduled northern

meeting in order that staff, in conjunction with the Discharger and the District, might resolve outstanding questions.

**27. Board Meeting Schedule for 2002 [Roger Briggs 805/549-3140]..... Board Motion**

Board Member Young suggested having at least one of the Board meetings in the Santa Barbara area. Chair Shallcross suggested that the Board request that Executive Officer Briggs and Regional Board staff

work on a couple of schedule variations and bring it back to the Board. Vice Chair Daniels suggested changing the December 6, 2002 meeting date to November 29, 2002.

**MOTION: John Hayashi moved to approve the 2002 Board Meeting Schedule to include one meeting to be held in the Santa Barbara area and to change the December 6, 2002 meeting date to November 29, 2002. SECONDED by Bruce Daniels. CARRIED – Unanimously (5-0)**

*(Before leaving the meeting Vice Chair Bowker noted an editorial change on Page 10 of the Enforcement Report, City of Pismo Beach BOD violation, "the maximum limit is 90 and the value is greater than 71." Executive Officer Briggs noted that the numbers were transposed and staff will follow-up)*

*(Vice Chair Bowker left the Board meeting at 1:35 p.m.)*

**23. Santa Clara Valley Water District Water Quality Program [Kimberly Gonzalez 805/549-3150].. Status Report**

The Santa Clara Valley Water District gave a brief presentation describing their programs and services, which include water supply, flood protection, and stream stewardship. The District looks forward to

working with the Regional Board on upcoming water quality projects.

*(Chair Shallcross announced a lunch break at 1:52 p.m. The meeting reconvened at 3:00 p.m.)*

**7. MTBE Sites [Jay Cano 805/549-3699].....Status Reports**

The Board asked staff several questions regarding the MTBE sites report. Some questions are: 1) old data entry in Santa Barbara County sites, 2) copy of contract for Santa Barbara County LOP, 3) timelines in the MTBE Guidelines and possible database to track sites in cleanup, and 4) need to implement an interim

cleanup at the Los Osos Valley Garage site. Staff will follow-up with answers in the next MTBE sites report and will provide the Board with copies of the local oversight program contracts.

**8. Enforcement Report [Brad Hagemann 805/549-3697]..... Status Report**

This is a written report. Mr. Briggs noted the editorial error that Vice Chair Bowker mentioned earlier during this meeting. Mr. Briggs also noted that Administrative Civil Liability complaints are currently being issued for the City of Pismo Beach, City of San Luis Obispo, City of Lompoc, and the California Men's Colony. Rancho

San Carlos reflected multiple violations and was a concern for the Board. Matt Thompson noted that the Rancho San Carlos facility is a new wastewater treatment plant. As the plant receives more flows it should operate more effectively. Also, the plant did not have an understanding of what the water supply's

total dissolved solids, chloride and sodium levels were, so there are multiple salts violations.

**24. Stormwater Program Update** [Jennifer Bitting 805/549-3334] ..... Status Report

Jennifer Bitting, Storm Water Program Manager, updated the Board on the four major aspects of Phase I

and Phase II of the Storm Water Program; Construction, Industrial, Caltrans, and Municipal.

**26. Reports by Regional Board Members**..... Status Report

Board Members John Hayashi and Jeffrey Young represented the Board at the greenhouse workshop in Carpinteria. Information is due in by October 20, 2001

from the greenhouse workshop participants. Regional Board staff is currently researching questions that resulted from the workshop.

**28. Executive Officer's Report** [Roger Briggs 805/549-3140] ..... Status Report

Executive Officer Briggs included a letter from the City of Pacific Grove on the recent ordinance implementation plan and budget information. Staff Engineer, Lida Tan reported that the City of Pacific Grove is following up with recommendations and is making good progress. Chair Shallcross suggested sending the City a recent article about the City of San Diego and progress on their sewer collection system.

monitoring, biodegradation process are occurring at the site.

The Regional Board stated concern of using monitored natural attenuation with MTBE in the plume of degraded groundwater. Staff will continue to closely monitor the site.

Lawrence Jackson, Deputy Public Works Director, City of Hollister, responded to Board questions about the cost of their project. He noted that the project would cost about \$4 million dollars. Jim Perrine, City of Hollister, noted that salt issues were being examined at the primary source. By providing a higher quality of water it will reduce the need for water softeners.

Staff Geologist, Dr. Wei Liu gave an update of activities at the combined Camp Evers site. Petroleum products including BTEX, 1,2-DCA, and MTBE have contaminated ground water below and offsite. Four responsible parties (RP's) were found to have contributed to the contamination and ground water pump and treat systems have been in use for several years. Contamination reached a well owned by the Manana Woods Mutual Water Company and the RP's have installed and are operating a treatment system to remove petroleum products. Ground water contamination has decreased directly under the site however, concentrations have increased in an area downgradient. The RP's are required to accelerate cleanup in the downgradient area and will be further defining the MTBE plume. At the Board's direction, staff will include an update of activities in the MTBE priority sites report at every Board meeting.

Burton Chadwick, Associate Engineering Geologist, gave a brief status report outlining the background of the leaking underground storage tank case and summarizing the current conditions beneath the site at the Mushroom Farms in Watsonville. Regional Board staff approved a corrective action plan involving the use of intrinsic bioremediation/monitored natural attenuation. The plume of degraded groundwater is limited in extent, chemicals of concern, and concentrations and mainly involves methyl-tertiary-butyl ether (MTBE) at a maximum concentration of 590 micrograms per liter in June 2001. Staff concludes the plume has been adequately characterized and appropriately monitored; monitoring will continue. The low rates of production from the onsite water supply well are not expected to influence plume migration, and based on geochemical parameter

Executive Officer Briggs reminded the Board to mark their calendars for the November 1-2, 2001 Water Quality Coordinating Committee meeting to be held in the Palm Desert area. We will coordinate with the Board when we receive more detailed information from the hosting Region.

Staff Counsel Jennifer Soloway reported that the Regional Board and the State Board are being sued by an organization called Voices of the Wetlands regarding the Moss Landing Power Plant NPDES Permit. The permit was issued in October 2000. The lawsuit raises one issue: they believe that the Court

should order that the Regional Board require some type of closed cycle cooling system for that plant. The Regional Board will prepare and submit the record to the Court by the end of the month.

Chairman Shallcross adjourned the public meeting at 4:50 p.m.

The meeting was audio recorded and the minutes were reviewed by management, and approved by the Board at its October 26, 2001 meeting in San Luis Obispo, CA.



Gary Shallcross, Chair